

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TIMOTHY FRANCIS RIPP,

Plaintiff,

v.

ROBYN BRADLEY,

Defendant.

ORDER

10-cv-259-bbc

Plaintiff Timothy Ripp is proceeding on his claim that defendant Robyn Bradley denied him access to the courts by refusing to arrange conference calls to the small claims court. On March 17, 2011, defendant filed a motion for summary judgment. Plaintiff's brief in opposition to the motion was to be filed not later than April 18, 2011. Now plaintiff has moved for a thirty day extension of time in which to file his opposition brief.

As a preliminary matter, I note that plaintiff has not signed his motion. Fed. R. Civ. Pro. 11, requires that a pro se party sign every pleading, motion or other paper filed with the court. "An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party." Fed. R. Civ. P. 11(a). Just this once the court will waive this requirement because we are under tight scheduling deadlines in this case and getting plaintiff a quick ruling on his request for more time is the most efficient path. However, if plaintiff files any more unsigned submissions, the court will strike them, as Rule 11(a) requires.

Turning to plaintiff's request for additional time, he contends that he has good cause for requesting an extension because his access to the law library has been limited and that the limited access is beyond his control. But as stated in the preliminary pretrial conference

order, extensions of the deadline for filing a brief in opposition to a motion for summary judgment are not given unless a party can convince the court that something totally unfair happened that actually prevented him from meeting your deadline. I am not convinced that plaintiff is being prevented from meeting his deadline. Even so, because the court's calendar allows a short extension, I will give him until May 2, 2011 to file his brief in opposition. Defendant may have until May 12, 2011 to file her reply.

ORDER

IT IS ORDERED that plaintiff's motion for an extension of time to file his brief in opposition to defendant's motion for summary judgment, dkt. #30, is GRANTED in part. Plaintiff shall file his opposition brief by May 2, 2011 and defendant may file her reply brief not later than May 12, 2011.

Entered this 15th day of April, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge